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DEPARTMENT OF AGRICULTURE

Agricultural Adjustment Administration.

ECR-B-1—Supplement (s) Issued October 22, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN NO. 1—SUPPLEMENT (S)

Multiple Farm Holdings

Section 4 of Part V of East Central Region Bulletin No. 1, Revised¹ is hereby amended by adding the following new paragraphs:

In any case where the County committee finds that a person who has made an application for a payment with respect to any farm has an interest as owner or share tenant in another farm in the county on which the acreage used for the production of crops included in any soil-depleting base exceeds the acreage normally used for the production of such crops on such other farm, and such farm has not been included with other farms in a single application as provided in section 8, Optional Method of Determining Payments with Respect to Two or More Farms Operated by the Same Producer, of this Part V, such finding shall be indicated by entering the words "Multiple provisions applicable" in section III of each respective application, Form ECR-11, immediately after the name of the said person.

If the State committee finds that a person who has made an application for a payment with respect to any farm in the State has an interest as owner or share tenant in another farm in the State on which the acreage used for the production of crops included in any soil-depleting base exceeds the acreage normally used for the production of such crops on such other farm and that the increase has been such as would tend to defeat the purposes of the Agricultural Conservation Program, such finding shall be indicated by entering the words "Multiple provisions applicable" in section III of each Form ECR-11 immediately after the name of the said person. The county code and serial numbers of each such application for a farm in another county shall be entered in section III on each application in which the said producer is interested together with the serial numbers of other applications in the county.

If the County or State committee on the basis of their findings enter in section III the words "Multiple provisions applicable" after the name of a person, the payment to be made to such person shall be calculated in accordance with the provisions of sections 5, 6, and 7 of this Part V; Provided, that the payment to be made to such person shall not be calculated in accordance with sections 5, 6, and 7 of this Part V unless so calculating such payment would decrease the amount which otherwise would be paid to such person with respect to the farms owned and operated by him in the county or State, respectively, and in connection with which applications for payment are filed. If no such entry is made in section III of the application or if no application serial numbers are listed, either such fact shall be considered as conclusive evidence that the County and State committees have found that sections 5, 6, and 7 of this Part V are not applicable.

In testimony whereof, R. G. Tugwell, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the

City of Washington, District of Columbia, this 22nd day of October 1936.

[SEAL]

R. G. TUGWELL,
Acting Secretary of Agriculture.

[F. R. Doc. 3032—Filed, October 22, 1936; 12:38 p. m.]

NER-B-1 Revised
Supplement (1)

Issued October 22, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST REGION

BULLETIN NO. 1 REVISED—SUPPLEMENT (1)

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, paragraph (b) of section 4 of part V of Northeast Region Bulletin No. 1 Revised¹ is amended by adding the following new sentences at the end of such paragraph (b):

If the committee finds that such sections 5, 6, and 7 are to be applied to the calculation of such payment it shall record such a finding by writing the words "Multiple provisions applicable" in section III of the application after the name of such person. If no such entry is made in section III of the application or if no work sheets are listed, such fact shall be considered as conclusive evidence that the county committee has found that sections 5, 6, and 7 are not applicable.

In testimony whereof, R. G. Tugwell, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 22nd day of October 1936.

[SEAL]

R. G. TUGWELL,
Acting Secretary of Agriculture.

[F. R. Doc. 3033—Filed, October 22, 1936; 12:38 p. m.]

NER-B-5 (b)

Issued October 22, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST REGION

BULLETIN NO. 5 (B)

Instructions for Determination of Performance, Preparation of Report of Performance, and Application for Payment Where Type 61 or 61 (a) Tobacco was Grown in 1936

The instructions contained in Northeast Region Bulletin No. 5 shall be followed for farms on which type 61 or 61 (a) tobacco was grown in 1936 except that:

1. *Report of Performance.*—Where type 61 or 61 (a) tobacco was grown on the farm in 1936 enter the acreage of such tobacco on line 11, 12, or 13 in section I of the Report

¹ 1 F. R. 291.

¹ 1 F. R. 296.



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of Performance, Form NER-11, and circle such acreage, and do not include such acreage in the total on line 15.

2. *Application for Payment.*—The number of acres to be entered in column B of line 1 (a) of section IV (base acreage in general soil-depleting base) of the Application for Payment for farms on which type 61 or 61 (a) tobacco was grown in 1936 shall be determined by deducting from the number of acres in the total soil-depleting base (column 26 of the listing sheet, Form NER 9) for such farm the total of the number of acres so planted to such tobacco in 1936 and the number of acres in the base for types 41, 51, 52, and 53 tobacco (column 27 of the listing sheet, Form NER 9). If the sum of the acres so planted to type 61 or 61 (a) tobacco in 1936 plus the acreage in the soil-depleting base for types 41, 51, 52, and 53 tobacco exceeds the total soil-depleting base, the

entry in such line 1 (a) of column B of section IV shall be "0."

In computing the minimum acreage of soil-conserving crops under section 4 of part II of NER—B-1, Revised, the acreage planted in 1936 to types 61 and 61 (a) tobacco shall be disregarded.

In testimony whereof, R. G. Tugwell, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 22nd day of October 1936.

[SEAL]

R. G. TUGWELL,
Acting Secretary of Agriculture.

[F. R. Doc. 3031—Filed, October 22, 1936; 12:37 p. m.]

Bureau of Entomology and Plant Quarantine.

BEPQ—415

ADMINISTRATIVE INSTRUCTIONS AUTHORIZING EXTENSION OF HARVESTING SEASON FOR TEXAS CITRUS FRUIT

[Issued Oct. 22, 1936; effective Oct. 22, 1936]

Pursuant to regulation 7, section A, of Notice of Quarantine No. 64, the Mexican fruit worm quarantine, and it having been shown that such modification of the beginning of the host-free period is desirable and that it will not involve increase of risk of propagating the Mexican fruit worm, the State of Texas is hereby authorized to extend to the close of March 30, 1937, the harvesting season for citrus fruit from the regulated area of the State of Texas, as established by said Notice of Quarantine, consisting of the counties of Brooks, Willacy, Cameron, and Hidalgo; provided that conditions of infestation or lack of observance of sanitary requirements and failure to comply with clean-up restrictions do not necessitate the authorization of an earlier closing date.

The discovery of any infestation of this insect within the regulated area will of necessity require immediate eradication and precautionary clean-up measures in any area which may be involved.

[SEAL]

R. G. TUGWELL,
Acting Secretary of Agriculture.

[F. R. Doc. 3034—Filed, October 22, 1936; 12:38 p. m.]

Revision of Regulation 3
Effective October 22, 1936

BEPQ—Q. 61

MODIFICATION OF *THURBERIA* WEEVIL QUARANTINE REGULATIONS

INTRODUCTORY NOTE

The following amendment to regulation 3 of the *Thurberia* weevil quarantine is issued to release from restriction four townships in Pinal County, Arizona, which were formerly included in the regulated area. The area involved is desert land in which no cotton has been raised. Plans for irrigation and cotton production are, however, under way. The recent eradication of *Thurberia* plants from the mountains between this area and Marana, the nearest known point of infestation, is believed to have eliminated danger of *Thurberia* weevil establishing itself there when cotton is planted. No other changes are made in the regulated area.

LEE A. STRONG,
Chief, Bureau of Entomology and Plant Quarantine.

AMENDMENT NO. 1 TO REVISED RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 61

[Approved Oct. 22, 1936; Effective Oct. 22, 1936]

Under authority conferred by the Plant Quarantine Act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), it is

ordered that regulation 3 of the revised rules and regulations supplemental to Notice of Quarantine No. 61, on account of the *Thurberia weevil*, which were promulgated on September 30, 1933, be and the same is hereby amended to read as follows:

REGULATION 3—REGULATED AREA

In accordance with the provisions to Notice of Quarantine No. 61 (revised), the Secretary of Agriculture designates as regulated area the counties, or portions thereof, of Graham, Cochise, Santa Cruz, Pima, and Pinal, of the State of Arizona, embraced within the following-described boundary line, including all cities, towns, townships, and other political subdivisions within their limits:

Beginning at the most southeasterly corner of Greenlee County; thence westerly along the most southerly line of said county to the most southwesterly corner of said county; thence northwesterly along the county line of Greenlee and Graham Counties to the point where the township line between township ten (10) south and township eleven (11) south as surveyed, or as would be if surveyed, intersects, or would intersect, the county line between Graham and Greenlee Counties; thence west along the said township line between township ten (10) south and township eleven (11) south as surveyed, or as would be if surveyed, to the point where the said township line intersects, or would intersect, the line between the townships in range twenty-three (23) east and range twenty-four (24) east; thence north along the township line between the townships in range twenty-three (23) east and range twenty-four (24) east as surveyed, or as would be if surveyed, to the point where the said township line intersects, or would intersect, the township line between township six (6) south and township seven (7) south; thence west along the said township line between township six (6) south and township seven (7) south as surveyed, or as would be if surveyed, to the point where the said township line intersects, or would intersect, the line between the townships in range eight (8) east and range nine (9) east; thence south along the township line between the townships in range eight (8) east and range nine (9) east as surveyed, or as would be if surveyed, to the point where the said township line intersects, or would intersect, the township line between township eight (8) south and township nine (9) south; thence west along the township line between township eight (8) south and township nine (9) south as surveyed, or as would be if surveyed, to the point where the said township line intersects, or would intersect, the line between the townships in range seven (7) east and range eight (8) east; thence south along the township line between the townships in range seven (7) east and range eight (8) east as surveyed, or as would be if surveyed, to the point where the said township line intersects, or would intersect, the boundary line between Pima County and the Republic of Mexico; thence southeasterly and easterly along the boundary line between the State of Arizona and the Republic of Mexico to the point where the said boundary line intersects the boundary line between the States of New Mexico and Arizona; thence northerly along the boundary line between the States of New Mexico and Arizona to the point of beginning.

All townships, township lines, and ranges referred to in the above-described area are of the Gila and Salt River base and meridian.

This amendment shall be effective on and after October 22, 1936.

Done at the city of Washington this 22d day of October 1936.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL]

R. G. TUGWELL,

Acting Secretary of Agriculture.

[F. R. Doc. 3035—Filed, October 22, 1936; 12:39 p. m.]

Forest Service.

NSCP—Bulletin No. 2

1936 NAVAL STORES CONSERVATION PROGRAM

Pursuant to Section 8 of Public No. 461, 74th Congress:

I

Bulletin No. 1, 1936 Naval Stores Conservation Program, issued July 6, 1936 (see Federal Register, July 9, 1936, page 883), is hereby amended as follows:

1. Paragraph 1 under the item entitled "Conditions of Payments" is amended by striking out the words "on or within one week prior to July 15, 1936" and inserting in lieu thereof the words "on or within ten days prior to July 18, 1936."

2. Said paragraph 1 is further amended by adding at the end thereof the following three new sentences: "With respect

to trees located in Western Florida and Alabama, however, turpentine cups may be removed on or within three weeks prior to August 8, 1936, from trees which were in production July 1, 1936. When trees have been 'boxed', that is, where the base of the tree has been cut to form a cup, satisfactory evidence that such trees were not chipped, streaked, or pulled between July 18, 1936, and November 1, 1936, will be accepted as the equivalent of actual removal of cups. Where operating conditions are such that it is better practice to leave cups on the trees, such cups may be inverted or otherwise left on the trees in such manner as to prevent the collection of gum providing all other conditions of payment are fully performed."

3. The item entitled "Application for Payment" is amended by adding at the end thereof the following new provision:

In the event that a producer operating a turpentine place (whether wholly or partially under fee ownership, cash lease, percentage lease, or other control) transfers such control to a successor-producer who continues to operate such turpentine place in accordance with the provisions of the 1936 Naval Stores Conservation Program, set forth in Bulletin No. 1, issued July 6, 1936, as modified herein, at any time between July 15, 1936, and November 1, 1936, the payments for performance during such period will be divided in accordance with an agreement between the vendor and vendee, such division to be set forth by them in the Certificate of Performance and Application for Payment, Form NSCP-1, or, in the absence of an agreement between the vendor and vendee of such turpentine place providing for distribution of such payments, will be divided as follows:

- For performance during the period from July 15, 1936, to July 31, 1936, inclusive, or during any portion of such period—50% to the original producer.
- For performance between August 1, 1936, and September 15, 1936, inclusive, or during the major portion of such period—25% to the producer having control during such major portion.
- For performance between September 16, 1936, and November 1, 1936, inclusive, or during the major portion of such period—25% to the producer having control during such major portion.

II

In accordance with the foregoing, Preliminary Informational Leaflet No. 1 issued in July 1936, respecting the 1936 Naval Stores Conservation Program is hereby amended so as to read as follows:

U. S. Forest Service, Glenn Building, Atlanta, Georgia: Preliminary Informational Leaflet No. 1—Originally issued July 1936 and revised October 20, 1936.

UNITED STATES DEPARTMENT OF AGRICULTURE—FOREST SERVICE

1936 NAVAL STORES CONSERVATION PROGRAM

(For the information of turpentine producers in North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas. This leaflet explains the procedure to be followed in order to qualify for payments under the Naval Stores Conservation Program for 1936.)

In order to promote the economic use and conservation of land and to diminish the wasteful and unscientific use of national soil resources, the Secretary of Agriculture, pursuant to the authority vested in him by Section 8 of the Soil Conservation and Domestic Allotment Act as supplemented by Section 7 (c) of Title IV of the First Deficiency Appropriation Act, fiscal year 1936, Public, No. 739, 74th Congress, approved June 22, 1936, proposes to make payments to those producers of gum resin and gum turpentine who operate their farms in accordance with the procedure outlined below.

What the Turpentine Producer Should Do to Qualify for Payment

- Secure work sheet at any one of several sectional meetings, early in July, notice as to time and place of which will be published, from a factor or dealer, or by writing at once to Regional Forester, U. S. Forest Service, Glenn Building, Atlanta, Georgia.
- Fill out and mail a work sheet on or immediately after August 1, 1936, listing the number of working trees from which cups have been removed and upon which streaking or pulling has ceased. If a producer is operating more than one "turpentine place", a separate work sheet must be filed for each such location. (See details below.)

3. Remove cups and cease working trees for naval stores by August 1, 1936. (See details under "Conditions of Payments" below.)

4. When the Forest Service field inspector reaches a producer's farm, the producer must indicate the location of the trees listed on the work sheet and otherwise assist the inspector to check the farm with the work sheet.

5. At the close of the season, the producer must permit the field inspector to make the last checkup on the trees taken out of production, after which the producer must fill in the Certificate of Performance and Application for Payment, Form NSCP-1, and secure all necessary signatures thereto.

6. Fill out and sign such application for payment and mail the application to the address indicated thereon.

7. Receive payment if it is shown that performance of the qualifying conditions of this program has been fulfilled.

Definition of Terms

1. *Turpentine farm.*—The land and turpentine timber owned or leased, or operated on a share-crop basis, and under one management, which is being operated for the production of gum naval stores, and generally referred to as a "turpentine place."

2. *Gum naval stores.*—Gum, gum turpentine, and gum rosin produced from live trees. Gum naval stores does not include naval stores produced from dead timber, stumps, knots, etc.

3. *Producer.*—Any person or persons, firm, partnership, or corporation, operating a turpentine place (whether wholly or partially under fee ownership, cash lease, percentage lease, or other control) producing gum naval stores and regardless of how or where the raw product may be processed.

4. *Face.*—The wound or streaks made by chipping, streaking, or pulling live trees to stimulate the flow of gum.

5. *Cup.*—A metal, clay, or other container hung on or below the face to accumulate the flow of gum.

6. *Operating tree, working tree.*—Any tree being currently worked or chipped for naval stores.

7. *Crop.*—10,000 turpentine faces.

8. *Unit.*—A unit consists of 1 barrel (50 gallons) of turpentine plus 3½ barrels (approximately 500 pounds each) of rosin.

Kind of Payments

Payment will be made to producers who in 1936 carry out the following approved practices with respect to turpentine trees which were being currently worked for naval stores on July 1, 1936, or on or within 24 days prior to August 1, 1936.

How a Producer May Qualify for Payments

1. Secure and fill out work sheet. Work sheets can be secured at one of several sectional meetings, early in July, the time and place of which will be published, from a factor or dealer, or by writing at once to Regional Forester, U. S. Forest Service, Glenn Building, Atlanta, Georgia. This work sheet is to record currently worked turpentine cups and faces as of August 1, 1936, on which streaking and pulling have stopped, and from which cups have been removed. Filling out the work sheet does not bind the producer in any way but is necessary before he can apply for payments.

2. Mail work sheet to Regional Forester, U. S. Forest Service, Glenn Building, Atlanta, Georgia, or to one of the district offices of the United States Forest Service, located in Savannah, Georgia, and Jacksonville and Pensacola, Florida. The work sheet should be filled out as soon as cups on currently worked trees have been removed and must be mailed to one of the above addresses on or before August 20, 1936. Filing of the work sheet is necessary for the Forest Service to provide required inspection of the farm. If a work sheet for a turpentine farm is not mailed or filed on or before August 20, 1936, it will probably be administratively impracticable to inspect said turpentine farm with respect to compliance and to make payment.

3. Producer must operate his farm according to the provisions prescribed below under the heading "Conditions of Payments."

4. Assist Forest Service field inspector when he calls to inspect the turpentine farm subsequent to filing of the work sheet by indicating what cups and working faces previously recorded on the work sheet have been removed from operation and otherwise assist the inspector in making the first check of data on the work sheet.

5. Continue to keep the cups and worked faces designated on the work sheet out of operation until the end of the season (November 1, 1936).

6. Near the end of the working season assist the Forest Service field inspector in making the final check as to the continued nonoperation of cups and working faces since the first inspection.

7. Execute the Certificate of Performance and Application for Payment, Form NSCP-1.

8. Fill out and sign such application for payment after securing all necessary signatures thereto and then mail application to address as directed in instructions to be issued. Producers whose operations meet the conditions and aims of the program will receive payment.

Conditions of Payments

Payment will be made in connection with the utilization, during the period July 1, 1936, to November 1, 1936, of land devoted to growing trees for the production of gum turpentine and gum rosin, in the amounts and subject to the conditions hereinafter set forth.

1. Payment will be made on the basis of the number of turpentine cups removed, on or within two weeks prior to August 1, 1936, from trees which were in production on July 1, 1936, and on which chipping, streaking, or pulling was stopped on or within ten days prior to July 18, 1936, provided such trees remain out of production for the remainder of the operating season (until November 1, 1936). With respect to trees located in Western Florida and Alabama, however, turpentine cups may be removed on or within three weeks prior to August 8, 1936, from trees which were in production July 1, 1936. When trees have been "boxed", that is, where the base of the tree has been cut to form a cup, satisfactory evidence that such trees were not chipped, streaked, or pulled between July 18, 1936, and November 1, 1936, will be accepted as the equivalent of actual removal of cups. Where operating conditions are such that it is better practice to leave cups on the trees, such cups may be inverted or otherwise left on the trees in such manner as to prevent the collection of gum providing all other conditions of payment are fully performed.

2. Payment will be made at the following rates: For faces 66.0 inches or less in height, \$.04 per face. For faces more than 66.0 inches in height, \$.025 per face. Measurements will be taken vertically between lowest point of wound face (first wound of virgin face) and highest point of wound (shoulder side of streak).

3. Payment to any one turpentine farm may be granted for the number of working cups and working faces removed from operation in an amount not exceeding 25 percent of the number of cups (and working faces) in operation on July 1, 1936.

4. Trees on which turpentine operations are stopped shall be on compact or solid areas to the extent that the physical or administrative feature of the operation will permit such consolidation. If the removal is made in a given block, tract, or crop of trees then all (100%) of the cups on the trees in such block, tract, or crop are to be removed from production unless such 100% reduction will cause the operator to exceed his 25% limitation as required under No. 3 above, but in any event the trees from which the cups are removed must be as nearly contiguous as possible.

5. Cessation of operation of trees shall be effected, as far as practicable, in stands of timber having a high percentage of cups on trees less than 9 inches in diameter breast high (4½ feet above the ground).

6. Should the applications for payment show a total removal of more than 25% of the total number of cups in operation in the industry, the rates of payment may be reduced

not to exceed 10%; if they show a reduction of less than 25%, the rates of payment may be increased not to exceed 10%.

7. The applicant for conservation payment shall have protected from fire the forest land within his turpentine farm, whether owned, leased, or otherwise controlled, during the period July 15, 1936, to November 1, 1936, to the best of his ability and in doing so shall cooperate with the State and Federal governments in any cooperative forest fire protection system that exists contiguous to his turpentine farm or within the area in which such farm is situated. Accidental fires or fires clearly not due to the negligence of the applicant shall not constitute noncompliance with this provision.

Application for Payment

Payments will be made upon the basis of the facts established in an application executed on the proper form. Each person desiring such payment will have been required previously to file a Work Sheet and also to file a Certificate of Performance and Application for Payment, Form NSCP-1, properly and completely filled out and signed, covering each turpentine farm owned, leased, or otherwise controlled, and being operated by him, with respect to which he desires payment. Each work sheet will indicate clearly the extent to which the preliminary requirements have been met.

Application for payment may be made by:

(a) Any turpentine producer who is actively producing gum naval stores in the period July 1 to 15, 1936, on land owned, leased, or otherwise controlled by him.

(b) Such other persons as may be designated by the Secretary of Agriculture.

In the event that a producer operating a turpentine place (whether wholly or partially under fee ownership, cash lease, percentage lease, or other control) transfers such control to a successor-producer who continues to operate such turpentine place in accordance with the provisions of the 1936 Naval Stores Conservation Program, as modified as set forth herein, at any time between July 15, 1936, and November 1, 1936, the payments for performance during such period will be divided in accordance with an agreement between the vendor and vendee, such division to be set forth by them in the Certificate of Performance and Application for Payment, Form NSCP-1, or, in the absence of an agreement between the vendor and vendee of such turpentine place providing for distribution of such payments, will be divided as follows:

a. For performance during the period from July 15, 1936, to July 31, 1936, inclusive, or during any portion of such period—50% to the original producer.

b. For performance between August 1, 1936, and September 15, 1936, inclusive, or during the major portion of such period—25% to the producer having control during such major portion.

c. For performance between September 16, 1936, and November 1, 1936, inclusive, or during the major portion of such period—25% to the producer having control during such major portion.

Payments

Payment will be made to the operator of the turpentine farm, that is, the person, persons, firm, partnership, or corporation that conducts the turpentine operation. Payments will not be made until sometime subsequent to the final field inspection of each turpentine farm (on which a work sheet has been filed) at the end of the operating season.

In testimony whereof, R. G. Tugwell, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 20th day of October, 1936.

[SEAL]

R. G. TUGWELL,
Acting Secretary of Agriculture.

[F. R. Doc. 3030—Filed, October 21, 1936; 3:32 p. m.]

DEPARTMENT OF COMMERCE.

Bureau of Air Commerce.

SPECIAL AIR TRAFFIC RULE

OCTOBER 16, 1936.

Pursuant to the authority contained in Section 3 (e) of the Air Commerce Act of 1926, as amended, (44 Stat. 563), the following Special Air Traffic Rule is promulgated:

No aircraft shall be flown within one-half mile of the Statue of Liberty on Bedloe Island, New York Harbor, at any altitude, between the hours of 2 and 3:30 p. m., October 28, 1936, during ceremonies celebrating the Fiftieth Anniversary of the dedication of the Statue of Liberty.

[SEAL]

ERNEST G. DRAPER,
Acting Secretary of Commerce.

[F. R. Doc. 3036—Filed, October 22, 1936; 12:40 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 20th day of October A. D. 1936.

[File No. 2-2494]

IN THE MATTER OF REGISTRATION STATEMENT OF GREAT NORTHERN GOLD MINES, INC.

ORDER CHANGING DESIGNATION OF OFFICER AND FIXING TIME AND PLACE FOR TAKING EVIDENCE

The Commission having heretofore, on October 13, 1936,¹ designated Robert P. Reeder, an officer of the Commission, to take testimony at a hearing to be held in this matter, under Section 8 (d) of the Securities Act of 1933, as amended, on October 26, 1936, and

The registrant having subsequently requested that such hearing be advanced,

It is ordered, that the foregoing designation of the said Robert P. Reeder is hereby rescinded, and

It is further ordered, that the hearing in this matter be held on October 21, 1936, at 11 o'clock in the forenoon, in Room 1101, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and continue thereafter at such times and places as the officer hereinafter designated may determine; and

It is further ordered, that Charles S. Moore, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 3039—Filed, October 22, 1936; 12:45 p. m.]

United States of America—Before Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of October A. D. 1936.

¹ 1 F. R. 1867.

[File No. 2-2535]

IN THE MATTER OF WALTER E. HELLER & COMPANY

ORDER CONSENTING TO WITHDRAWAL OF REGISTRATION STATEMENT
ON REQUEST OF APPLICANT

The Commission, having due regard to the public interest and the protection of investors, upon the request of the registrant received on October 8, 1936, consents to the withdrawal of the registration statement of the above named registrant, and to that effect

It is so ordered.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3037—Filed, October 22, 1936; 12:45 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE MID-CONTINENT-MARSHALL FARM, FILED ON OCTOBER 16, 1936 BY THE ROLES COMPANY, RESPONDENT

ORDER FOR HEARING (UNDER RULE 340 (b)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the information given under Item 16 (c) of Division II is, if based upon that given in Item 16 (a), incorrect;
2. In that, upon the basis of the information given in Items 1, 16 (a), and 16 (c) of Division II, the information given under Item 16 (d) is incorrect;

It is ordered, pursuant to Rule 340 (b) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether an order of suspension shall be entered; and

It is further ordered, that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 4th day of November at 10:00 A. M. in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3043—Filed, October 22, 1936; 12:46 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A WORKING INTEREST IN THE SHAFFER-MCKEE FARM, FILED ON SEPTEMBER 12, 1936, BY D. F. BERNHEIMER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 14, 1936, be effective as of October 14, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3040—Filed, October 22, 1936; 12:45 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE MAGNOLIA-METROPOLITAN FARM, FILED ON SEPTEMBER 24, 1936, BY CONTINENTAL INVESTMENT CORP., RESPONDENT

ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, finding that the inclusion of the two non-contiguous tracts in a single offering sheet, which inclusion constituted the basis for the Suspension Order previously entered in this proceeding,¹ is no longer open to objection in view of the adoption of Rule 335 of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, which rule became effective on October 21, 1936;

It is ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3041—Filed, October 22, 1936; 12:45 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A WORKING INTEREST IN THE H. W. GRIFFIN FARM (WELLS #2 AND #3), FILED ON OCTOBER 5, 1936, BY RAY STEPHENS, INC., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject

¹ 1 F. R. 1653.² 1 F. R. 1753.

of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;¹

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 20, 1936, be effective as of October 20, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3042—Filed, October 22, 1936; 12:46 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 20th day of October 1936.

[File No. 2-2280]

IN THE MATTER OF MINING AND DEVELOPMENT CORPORATION

STOP ORDER

This matter¹ coming on to be heard by the Commission on the registration statement of Mining and Development Corporation, Wilmington, Delaware, after confirmed telegraphic notice by the Commission to said registrant that it appears that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and omits to state material facts necessary to make the statements therein not misleading, and upon the evidence received upon the allegations made in the notice of hearing duly served by the Commission on said registrant, and the Commission having duly considered the matter, and finding that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make statements therein not misleading, all as more fully set forth in the Commission's Findings of Fact

and Opinion this day issued, and the Commission being now fully advised in the premises,

It is ordered, pursuant to Section 8 (d) of the Securities Act of 1933, as amended, that the effectiveness of the registration statement filed by Mining and Development Corporation, Wilmington, Delaware, be and the same hereby is suspended. By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3038—Filed, October 22, 1936; 12:45 p. m.]

UNITED STATES MARITIME COMMISSION.

[General Order No. 2]

CONTINUANCE OF FUNCTIONS, POWERS, AND DUTIES TRANSFERRED BY MERCHANT MARINE ACT, 1936

Pursuant to the authority vested in it by the Merchant Marine Act, 1936, Public No. 835,¹ the United States Maritime Commission will, on October 26, 1936, take over the powers and functions theretofore exercised by the Department of Commerce as the successor to the powers and functions of the United States Shipping Board, by virtue of the President's Executive Order of June 10, 1933, which are transferred to it by Section 204 (a) of the said Merchant Marine Act, 1936.

The Commission is authorized by Section 204 (b) of said Act to adopt all necessary rules and regulations to carry out the powers, duties, and functions vested in it by the Act. By virtue of this authority it is hereby ordered that, effective October 26, 1936, all orders, determinations, rules, regulations, permissions, and agreements which have been issued or authorized by the United States Shipping Board, the Merchant Fleet Corporation, or the Department of Commerce in the exercise of the functions, powers, and duties transferred to this Commission by the Merchant Marine Act, 1936, and which are in effect at the time of such transfer, shall continue in effect, insofar as not in conflict with said Act, until modified, terminated, superseded, or repealed by this Commission or by operation of law; and that all proceedings, hearings, or investigations then pending before the Department of Commerce in connection with the administration of such functions, powers, and duties shall be continued before the Commission.

By order of the United States Maritime Commission:

TELFAR KNIGHT, *Secretary*.

OCTOBER 21, 1936.

[F. R. Doc. 3029—Filed, October 21, 1936; 2:16 p. m.]

¹ 74th Congress, 49 Stat. 1985.

¹ 1 F. R. 1831.

² 1 F. R. 1021.

